

UNITED STATES DISTRICT COURT

DISTRICT OF SOUTH DAKOTA

SOUTHERN DIVISION

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| <p>CODY RAY CASKEY,</p> <p>Plaintiff,</p> <p>vs.</p> <p>WARDEN DOOLEY, WARDEN AT MIKE<br/>DURFEE STATE PENITENTIARY; IN HIS<br/>INDIVIDUAL AND OFFICIAL CAPACITY;<br/>AND DR. ADAMS, PHYSICIAN AT<br/>SOUTH DAKOTA STATE<br/>PENITENTIARY; IN HIS INDIVIDUAL<br/>AND OFFICIAL CAPACITY;</p> <p>Defendants.</p> | <p>4:17-CV-04070-KES</p> <p>ORDER ADOPTING REPORT AND<br/>RECOMMENDATION</p> |
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Plaintiff, Cody Ray Caskey, filed this lawsuit under 42 U.S.C. § 1983. Dockets 1 & 13. The case was referred to Magistrate Judge Veronica Duffy under this court's January 19, 2018 order (Docket 34) and 28 U.S.C. § 636(b)(1)(A) and (B). On August 24, 2018, Magistrate Judge Duffy submitted her report and recommended that defendants' motion for summary judgment be granted and Caskey's complaint and amended complaint be dismissed with prejudice. Docket 57. Caskey was notified in the report and recommendation that he had 14 days to file objections to the report. Even though no objections were filed that would require de novo review under *Thompson v. Nix*, 897 F.2d

356 (8th Cir. 1990), the court reviewed the matter de novo and adopts the report and recommendation in full. Thus, it is

ORDERED that Magistrate Judge Duffy's report and recommendation (Docket 57) is adopted in full and defendants' motion for summary judgment (Docket 43) is granted.

DATED this 20th day of September, 2018.

BY THE COURT:

/s/ Karen E. Schreier

KAREN E. SCHREIER  
UNITED STATES DISTRICT JUDGE